GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Social Welfare Department – Appeal petition filed by Sri R. Srinivasulu S/o. R. Subbaiah against the Proceedings of the District Collector, Prakasam – under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (AP Act No. 16/1993) – **Appeal Allowed** – Orders Issued.

SOCIAL WELFARE (CV.1) DEPARTMENT

G.O.MS.No. 46 **Dated: 13.07.2015**

Read the following:-

1. Proceedings of the District Collector, Prakasam RC.No. C4/601/A/ 2003, dated: 06-03-2013
2. Appeal petition of, Sri R. Srinivasulu S/o. R. Subbaiah, Ongole, Prakasam district, dt. 27.03.2013.
3. Govt. Memo. No. 4331/CV.1./2013, dt. 26.04.2013,
4. From the District Collector, Prakasam Lr.Rc.C4/601/A/2003, dt: 21.11.2014
5. Govt. Memo. No. 4331/CV.1./2013, dt. 11.03.2015

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ORDER:

Vide reference 1st read above, the District Collector, Prakasam has cancelled the Scheduled Caste (Madasi Kuruva) Caste Certificate of Sri R. Srinivasulu S/o. R. Subbaiah, Prakasam district.

2. In the reference 2nd read above, Sri R. Srinivasulu has filed an appeal petition before the Government u/s 7 (2) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act No. 16/1993), against the cancellation of his Scheduled Caste Certificate by the District Collector, Prakasam and prayed for staying the operation of the said suspension.

3. The Government, in the reference 3rd read above, have admitted said appeal petition and requested the District Collector, Prakasam to furnish the parawise remarks and connected records on the appeal petition.

4. In the reference 4th read above, the District Collector, Prakasam has furnished parawise remarks along with the connected records.

5. The said appeal petition has been posted for hearing on 18.05.2013, 19.07.2013, 30.09.2013 & 18.04.2015 and the same has been informed to the appellant and requested to attend the hearings with all documentary evidence/certificates in favour of his community claim. The appellant attended for the hearing held on 18.04.2015 and explained the grounds of his SC 'Madasi Kuruva' community claim before the appellate authority.

6. The Government have examined the grounds filed by the appellant in his appeal petition/ parawise remarks submitted by the District Collector, Prakasam/ documentary evidence available with the Government, arguments submitted by the appellant at the time of hearing. As verified from the appeal petition, it is observed that the appellant has stated that because of the reason that he had married a Yadava Woman it cannot be concluded that he is not a Scheduled Caste as it is quite common that person from one community marry another community person. Further, stated that his father did not have any knowledge about recording his caste as 'Golla'.

7. Further, the appellant has stated that the District Level Scrutiny Committee did not allow him for adducing oral evidence of the persons of his neighborhood and his relatives to prove his Scheduled Caste claim. Further, he has stated that the DLSC did

[P.T.O]

not allow him to be represented by an advocate or a co-employee despite the fact that he is not well educated and was not well versed in the conduct of the procedure due to which grave in justice had been done to him. Further stated that he had grown up facing all the hurdles and humiliation of a Scheduled Caste person . Further, at the time of hearing of the appeal petition, appellant has produced transfer certificate of his grand-mother Smt. Gali Subbamma, wherein her caste is noted as 'Madasu Kuruva', which is listed out in the AP State SC list.

9. The Government, after careful examination of the appeal petition and the circumstances stated supra and in exercise of the powers conferred u/s 7 (2) of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993 (Act No. 16 /1993), hereby allow the appeal petition filed by Sri R. Srinivasulu S/o. R. Subbaiah, by upholding his Scheduled Caste (Madasi Kuruva) claim and the Proceedings of the District Collector, Prakasam issued in the reference 1st read above are set- aside.

10. The District Collector, Prakasam shall take necessary action in the matter accordingly.

11. The original record bearing No. RC.No. C4/601/A/2003 containing N.F 1 to 96 pages C.F 1 to 281 pages received from the District Collector, Prakasam, through reference 4th read above, is returned herewith and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT (SW)

To
The Collector & District Magistrate, Prakasam (with original records)

Sri R. Srinivasulu S/o. R. Subbaiah,
Occ: Armed Reserve Police Constable,
Ongole, Prakasam district

Copy to:
The P.S. to Hon'ble Minster(SWE&TWE)
The P.S. to Principal Secretary (SW)
SF/SC.

// FORWARDED:: BY ORDER //

SECTION OFFICER